

BOX PCT  
PATENT  
0430-0163P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Horst WITTUR et al. Conf.: 5275  
Int'l. Appl. No.: PCT/EP00/09971  
Appl. No. 10/088,411 Group: Unknown  
Filed: March 20, 2002 Examiner: UNKNOWN  
For: LIFT WITH A CAR ATTACHED TO A  
SUPPORT

LETTER

BOX PCT  
Assistant Commissioner for Patents  
Washington, DC 20231

August 28, 2002

Sir:

In response to the Notification of Defective Response dated July 29, 2002, Applicant wishes to advise the United States Patent and Trademark Office that a Declaration of the co-inventor, Hubert Fischer, was filed on August 2, 2002, to perfect Applicant's filing requirements, as required by the first Notification of Defective Response dated July 3, 2002.


The filing requirements were perfected prior to the receipt of this second Notification of Defective Response, a copy of which is attached hereto.

As evidence of Applicant's previous submission of the Declaration of Hubert Fischer in connection with the present application, Applicant encloses a copy of the Declaration and Power of Attorney, filed August 2, 2002, and a copy of the postcard indicating receipt of the Declaration by the U.S.P.T.O.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery, #28380

JMS/slb  
0430-0163P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments: Copy of Notification of Defective Response  
Copy of Postcard Receipt  
Copy of Declaration and Power of Attorney

(Rev. 12/03/01)



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/088,411	Horst WITTUR	0430-0163 P

INTERNATIONAL APPLICATION NO.

PCT/EP00/09971

I.A. FILING DATE

PRIORITY DATE

10/10/2000

10/11/1999

02292

 BIRCH STEWART KOLASCH & BIRCH  
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 FALLS CHURCH, VA 22040-0747

Docketed ES

8-29-02

Response

CONFIRMATION NO. 5275

371 FORMALITIES LETTER



\*OC000000008526174\*

Date Mailed: 07/29/2002

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed by Hubert Fischer as indicated in the notice of 3 July 2002

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/088,411	PCT/EP00/09971	0430-0163 P

FORM PCT/DO/EO/916 (371 Formalities Notice)

Papers Filed herewith on: 8-02-02  
DOCKET NO.: 0430-0163P ATTY.: JMS  
APPLICANT(S): WITTUR et al  
APPLN. NO: 10/088,411 FILED: 3/20/02  
PAT NO.: \_\_\_\_\_

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(RCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-ink  
☐ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity  
☒ Response TO NOTIFICATION OF DEFECTIVE RESPONSE  
☐ Information Discl Stmt. PTO-1449(s) \_\_\_\_\_  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal  
☐ FEES: \_\_\_\_\_  
☐ Letter: \_\_\_\_\_  
☒ Other: EXECUTED DECLARATION + POWER  
OF ATTORNEY OF HUBERT FAEYER

Receipt is hereby acknowledged of the papers filed as  
indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 8-04-02 (SUNDAY)  
Handcarry: \_\_\_\_\_

DOCKET NO. 0430-0163P

